

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

762E0409

## SENATE BILL NO. 100

Introduced by: Senators Hainje and Koetzle and Representatives Murschel and Hennies  
(Thomas)

1 FOR AN ACT ENTITLED, An Act to update the references to the building codes.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 9-33-4.1 be amended to read as follows:

4 9-33-4.1. ~~Municipalities are hereby authorized to~~ Each municipality may adopt by ordinance  
5 ~~those certain building codes known as the Uniform Codes adopted and proposed by the~~  
6 ~~International Conference of Building Officials and the whole thereof, except such portions as the~~  
7 ~~municipality may delete, modify, or amend, and as so deleted, modified, or amended it shall be~~  
8 ~~filed in the office of the city auditor, city finance officer, or town clerk. Additional deletions,~~  
9 ~~modifications, and amendments may, from time to time, be made by the governing body, and~~  
10 ~~shall be effective upon their adoption and filing with the city auditor, city finance officer, or town~~  
11 ~~clerk pursuant to § 11-10-5.~~

12 Section 2. That subdivision (17) of § 7-8-20 be amended to read as follows:

13 (17) To enact by ordinance, for any portion of the county which is zoned, ~~the 1997 Edition~~  
14 ~~of the Uniform Building Code as published by the International Conference of~~  
15 ~~Building Officials and to amend, modify, or delete any portion of the Uniform~~

1 ~~Building Code before enacting such an ordinance. Such ordinance may not apply to~~  
2 ~~mobile or manufactured homes as defined in chapter 32-7A which are constructed in~~  
3 ~~compliance with the applicable prevailing standards of the United States Department~~  
4 ~~of Housing and Urban Development at the time of construction. The ordinance and~~  
5 ~~any further amendments, modifications, or deletions shall be filed with the county~~  
6 ~~auditor and shall become effective upon such filing~~ certain building codes pursuant to  
7 § 11-10-5.

8 Section 3. That § 11-10-5 be amended to read as follows:

9 11-10-5. If the governing body of any local unit of government adopts any ordinance  
10 prescribing standards for new construction, such ~~ordinances~~ ordinance shall comply with the  
11 ~~1997 Edition of the Uniform~~ 2000 Edition of the International Building Code as published by the  
12 ~~International Conference of Building Officials~~ Code Council, Incorporated. The governing body  
13 may amend, modify, or delete any portion of the ~~Uniform~~ International Building Code before  
14 enacting such an ordinance. The ordinance may not apply to mobile or manufactured homes as  
15 defined in chapter 32-7A which are constructed in compliance with the applicable prevailing  
16 standards of the United States Department of Housing and Urban Development at the time of  
17 construction.